

ARS Title 41; Chapter 41 Arizona Department of Homeland Security

41-4251. Definitions

In this chapter, unless the context otherwise requires:

1. "Department" means the Arizona department of homeland security.
2. "Director" means the director of the department.

41-4252. Arizona department of homeland security; director; deputy director; assistant directors; divisions

- A. The Arizona department of homeland security is established. The direction, operation and control of the department are the responsibility of the director.
- B. The governor shall appoint the director pursuant to section 38-211. The director shall administer the department and serve at the pleasure of the governor. The director is entitled to receive compensation as determined under section 38-611. The director shall appoint a deputy director and, subject to legislative appropriation, may appoint those assistant directors as the director deems appropriate. The positions of director and deputy director are exempt from chapter 4, articles 5 and 6 of this title relating to the state service.
- C. To be eligible for appointment as director a person must have a background or experience in one or more of the following areas:
 1. Public administration.
 2. Disaster response.
 3. Law enforcement.
 4. Business administration.
- D. The director may organize the department into divisions the director deems appropriate.

41-4253. Department employees

Subject to chapter 4, articles 5 and 6 of this title, the director shall employ, determine the conditions of employment of and specify the duties of administrative, secretarial and clerical employees the director deems necessary.

41-4254. Department duties

The department shall:

1. Formulate policies, plans and programs to enhance the ability of this state to prevent and respond to acts of terrorism and other critical hazards.
2. Develop a statewide homeland security strategy.
3. Request appropriations or grants of monies for homeland security purposes.

4. Provide to the Arizona department of homeland security coordinating council the list of appropriations or grants that are requested from the federal government for homeland security purposes.
5. Receive all monies appropriated or granted to this state by the federal government for homeland security purposes and provide to the Arizona department of homeland security coordinating council the amount of these monies and the director's determination as to the allocation of these monies to the various grantees.
6. Distribute monies to local jurisdictions and other organizations eligible under federal regulations based on criteria in the statewide homeland security strategy and federal grant guidelines.
7. Coordinate with other state and federal agencies to publish a guide for grantees that receive homeland security monies. The guide shall ensure that monies distributed by the department:
 - (a) Are coordinated across all levels of government.
 - (b) Avoid duplication of grant awards.

41-4255. Report

- A. On or before September 1 of each year, the department of homeland security and the department of health services shall submit a homeland security allocation and expenditure report to the governor, the president of the senate, the speaker of the house of representatives, the chairperson of the senate appropriations committee, the chairperson of the house appropriations committee, the staff and cochairpersons of the joint legislative budget committee and the members of the joint legislative committee on homeland security.
- B. The director shall provide a copy of the report to the secretary of state and the director of the Arizona state library, archives and public records. The department may redact sensitive information contained in the report if necessary.
- C. The report shall include:
 1. Each local and state project that was awarded funding for the current year.
 2. Expenditures for each local and state project that was awarded funding for the current year.
 3. Expenditures from federal appropriations and grants that were used by the department for administrative and state agency purposes.
 4. A narrative description detailing each state project awarded funding, including the goals and objectives of each state project.
 5. The progress made on each project since the last report.

6. Project awards and expenditures from prior years beginning with fiscal year 2001-2002.
7. A detailed plan on how homeland security efforts will be continued in the event of decreased federal funding.

41-4256. Arizona department of homeland security coordinating council; appointment; terms; duties

A. The Arizona department of homeland security coordinating council is established.

B. The coordinating council consists of the following members:

1. Two members of the house of representatives who are appointed by the speaker of the house of representatives and who are members of different political parties.

2. Two members of the senate who are appointed by the president of the senate and who are members of different political parties.

3. The director of the Arizona department of agriculture or the director's designee.

4. The director of the department of health services or the director's designee.

5. The director of the United States customs and border protection or the director's designee.

6. Eighteen members who are appointed by the governor, who serve three year terms beginning July 1 and who are the following persons or their designees:

- (a) A mayor.

- (b) A city manager.

- (c) Two representatives from an institution of higher education.

- (d) A police chief from a city with a population of more than one million persons.

- (e) A sheriff from a jurisdiction in a county with a population of four hundred thousand or more persons but less than one million two hundred thousand persons.

- (f) A sheriff from a jurisdiction in a county with a population of less than four hundred thousand persons.

- (g) An emergency coordinator.

- (h) A county administrator.

- (i) A representative from one of the Arizona United States congressional offices.

- (j) Two public members.

- (k) A representative from an Indian tribal government.

- (l) A public health representative.

- (m) Two fire service representatives.

- (n) A Representative from the office of fire, building and life safety.

- (o) A representative of a volunteer services corporation.
- C. At the first meeting held after July 1 of each year, the coordinating council shall elect a chairperson and vice-chairperson.
- D. The coordinating council shall meet on the call of the chairperson but at least quarterly. No actions may be taken without a quorum present.
- E. The coordinating council at a public hearing shall:
 - 1. Receive the list of requests for state homeland security grant program monies that are developed by each regional advisory council.
 - 2. Receive from the director the director's request of state homeland security grant program monies that are requested from the federal government.
 - 3. Receive from the director the amount of appropriations or grants to this state by the federal government for homeland security purposes and the director's allocation of these monies to the jurisdictions and other organizations eligible to receive these monies.
- F. The coordinating council shall provide advice to the director regarding issues that relate to homeland security.
- G. Members are not eligible to receive compensation but are eligible for reimbursement of expenses pursuant to title 38, chapter 4, article 2.

41-4257. Joint legislative committee on homeland security; membership; powers and duties

- A. The joint legislative committee on homeland security is established consisting of the following members who have an interest in and familiarity with issues and programs concerning homeland security:
 - 1. Five members of the senate appointed by the president of the senate, not more than three of whom are members of the same political party. The president of the senate shall designate one member as cochairperson.
 - 2. Five members of the house of representatives appointed by the speaker of the house of representatives, not more than three of whom are members of the same political party. The speaker of the house of representatives shall designate one member as cochairperson.
- B. The committee shall meet whenever committee members consider it necessary, except that the committee shall not meet more than ten times each year unless the president of the senate and the speaker of the house of representatives agree to additional meetings. The committee shall meet at least annually to review grant allocations and expenditures as reported by the governor's office of homeland security.
- C. The committee shall:

1. Have access to all homeland security grant information on request of a chairperson of the committee or a majority vote of the committee.
2. Provide a forum for persons to express their concerns about state programs that relate to homeland security.
3. Make administrative and legislative recommendations concerning homeland security issues.
- D. The committee has the authority conferred by law on legislative committees.
- E. Members of the committee shall be reimbursed by their respective houses in the same manner provided by law for a member of the legislature who attends a duly called meeting of a standing committee.
- F. The committee may use the services of legislative staff.

41-4258. Arizona department of homeland security regional advisory councils; appointment; terms; duties

- A. The Arizona department of homeland security regional advisory councils are established.
- B. A total of five councils are established as follows:
 1. The north region is composed of the jurisdictions contained in the Coconino, Navajo and Apache County boundaries. No more than three members of the council may be from any one county.
 2. The east region is composed of the jurisdictions contained in the Graham, Greenlee, Gila and Pinal county boundaries. No more than three members of the council may be from any one county.
 3. The south region is composed of the jurisdictions contained in the Pima, Santa Cruz, Cochise and Yuma county boundaries. No more than three members of the council may be from any one county.
 4. The west region is composed of the jurisdictions contained in the Mohave, La Paz and Yavapai county boundaries. No more than three members of the council may be from any one county.
 5. The central region is composed of the jurisdictions contained in the Maricopa county boundaries.
- C. Each regional advisory council consists of twelve members who serve for a term of two years and who live or work in the region they represent.
- D. The governor shall appoint each member of a regional advisory council. The Arizona department of homeland security coordinating council shall recommend persons to be considered by the governor for appointment, except that the representatives of the legislature on the coordinating council shall recommend the persons to be considered for appointment as the two at-large members. The membership of the councils consists of:

1. A representative of a fire service from an urban or suburban area in the region.
 2. A representative of a fire service from a rural area in the region.
 3. A police chief.
 4. A county sheriff.
 5. A tribal representative.
 6. An emergency manager.
 7. A mayor.
 8. A county supervisor.
 9. Two at-large members.
 10. A representative from the department of public safety.
 11. A public health representative.
- E. At the first meeting held after July 1 of each year, each regional advisory council shall elect a chairperson and vice-chairperson.
- F. Each regional advisory council shall meet on the call of the chairperson but at least quarterly. No actions may be taken without a quorum present.
- G. The regional advisory council shall:
1. Develop, implement and maintain regional homeland security strategies.
 2. Support and assist in implementation of Arizona's comprehensive statewide risk assessment.
 3. Support and assist an integrated regional approach to homeland security in this state.
 4. Establish baseline prevention and response capabilities through anchor cities consistent with state and regional plans.
 5. Collaborate with other regional councils and organizations to ensure successful integration of homeland security programs and initiatives.
 6. Develop a list of requests for state homeland security grant program monies and forward these requests to the director. Before forwarding these requests to the director, the regional advisory council shall present the requests to the Arizona department of homeland security coordinating council.
 7. Recommend allocation of state homeland security grant program monies to eligible jurisdictions and other organizations based on regional, state and federal criteria.
- H. Members are not eligible to receive compensation but are eligible for reimbursement of expenses pursuant to title 38, chapter 4, article 2.